

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FARMERS INSURANCE EXCHANGE for
itself and as subrogee of its insured DOREEN
FILOMENA,

Plaintiffs,

vs.

LG ELECTRONICS USA, INC., *et al.*,

Defendants.

2:15-cv-01389-JCM-VCF

**ORDER GRANTING MOTION FOR GOOD
FAITH SETTLEMENT AND REPORT AND
RECOMMENDATION**

Before the court is LG Electronics USA, Inc.'s Emergency Motion for Determination of Good Faith Settlement (#26). Defendant Best Buy Stores, L.P. filed an opposition to the motion (#29) and LG filed a reply in support of its emergency motion (#33). A hearing was held on the instant motion on April 13, 2016 at 10:00 a.m. The Court canvassed and heard representations from the parties.

Considering the relevant points and authorities and the arguments of counsel, the court finds that only the first and fourth factors established in *In Re Grand Hotel Fire Litigation*, 570 F. Supp 913 (D. Nev. 1983) apply here. The \$9,000 to be paid in settlement is reasonable. It is undisputed that a faulty power cord or its faulty installation are responsible for the fire. LG Electornics USA did not manufacture or install the power cord at issue. There is no evidence of collusion, fraud or tortious conduct aimed to injure the interests of the non-settling party.

Approval of this settlement pursuant to NRS §17.245 discharges LG from all liability for contribution and for equitable indemnity to any other tortfeasor. Best Buy opposes the proposed settlement based, in part, on currently unasserted claims of contractual indemnity. Approval of this settlement has no impact on such a contractual indemnity claim against LG.

Accordingly, IT IS HEREBY ORDERED that LG Electronics USA, Inc.'s Emergency Motion for Determination of Good Faith Settlement (#26) is GRANTED.

1 IT IS FURTHER RECOMMENDED that all of plaintiff's claims against LG Electronics USA,
2 Inc. be dismissed with prejudice, upon notice to the court that plaintiff has received the \$9,000 agreed
3 settlement amount.

4 DATED this 13th day of April, 2016.

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7 CAM FERENBACH
8 UNITED STATES MAGISTRATE JUDGE
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